

## Legislative Fiscal Review Committee to conduct local government survey

This year the Fiscal Review Committee of the State Legislature is conducting a survey of all local governments throughout Tennessee. This survey will be directed towards city officials in each city. Its purpose is to gain valuable information regarding municipal structure and fiscal matters to aid in the construction of fiscal notes in the coming legislative session.

The data and conclusions presented in fiscal notes, which are prepared by the General Assembly's Fiscal Review Committee, are prominently featured in the debate on any bill of consequence. As such, it is imperative that the committee have access to accurate and updated information concerning municipalities when conducting its analysis and formulating its conclusions concerning a particular bill's potential impact on municipalities. In short, a fiscal note can greatly aid or harm a bill's

prospects for passage.

This local government survey will be coming soon, sent by the Tennessee Municipal League, that will link you to the online survey. All city officials are strongly encouraged to afford the survey the serious attention it merits.

If you have any questions regarding the survey or the Fiscal Review Committee, please do not hesitate to contact the local government fiscal analyst, Jessica Himes at [Jessica.himes@capitol.tn.gov](mailto:Jessica.himes@capitol.tn.gov), 615-532-9869 or 615-957-3515.

### What is the Fiscal Review Committee?

The Fiscal Review Committee was created by statute in 1967 as a special continuing committee of the General Assembly. The Committee itself is comprised of six senators and nine representatives, elected by members of the Senate

See **FISCAL REVIEW** on Page 4

## CDBG public hearing scheduled for Oct. 4

The Tennessee Department of Economic and Community Development (ECD) will hold a public hearing regarding the administration of the Small Cities Community Development Block Grant Program (CDBG) on Thursday, Oct. 4, 2012.

The purpose of the meeting is to review the CDBG program as it has operated, inform communities of changes for the 2013 application year, make suggestions for other possible changes, and listen to comments from those attending the meeting regarding their perception of community needs and how the CDBG program can be of assistance.

The public hearing is scheduled for 1 pm (CST) in the William R. Snodgrass Tennessee Tower, Media Room, Third Floor, 312 Rosa Parks Ave, Nashville 37243.

The CDBG program provides grants to carry out a wide range of community development activities directed toward neighborhood revitalization, economic development, and improved community facilities and services. The CDBG is a federally-funded program and must meet national objectives.

ECD administers only the Small Cities CDBG program. Entitlement areas receive money directly from HUD. Those entitlement areas include Shelby County and Memphis, Jackson, Clarksville, Davidson County, Murfreesboro, Oak Ridge, Knox County and Knoxville, Chattanooga, Cleveland, Morristown, Kingsport, Bristol, Franklin and Johnson City.

For the small cities and non-entitlement areas, the block grant funds are provided to the state, which distributes them as grants to eligible local governments. The level of funding is determined annually through congressional appropriations. Each state receives a protected allocation of CDBG funds, based on a federal formula and does not compete with other states for funding allocations. The state's objectives and methods of distributing the funds are determined in consultation with the citizens and local elected officials.

Please RSVP to Lindsay Gainous, [Lindsay.Gainous@tn.gov](mailto:Lindsay.Gainous@tn.gov). If you have questions, please call 615.741.8806. You must have a photo ID to enter the building.

## Chattanooga youths envision brighter future without gangs

BY VICTORIA SOUTH  
TML Communications Coordinator

At six years of age, little Demetrius can't read. The product of an absentee father and an out-of-pocket mom, he's growing up primarily on his own in Chattanooga's inner city. Most days, he feels small, second rate, without a voice; as if no one would ever listen or care about his dreams. Then, one day, a gang member befriends him; tells him a gun will give him all the power he needs...

It's a point Boyd Patterson and Chattanooga's Gang Task Force, the police, business leaders, recreation centers, schools, the faith-based community and others hope to circumvent, as the city struggles to reclaim its at-risk children and teens from gangs.

"Chattanooga is in an emerging gang situation, which means they're here to stay," said Patterson. "There are areas of town where the gang situation is entrenched and has been for a long time. That's East Chattanooga, the West side and Avondale Park areas.

A former Hamilton County Assistant District Attorney, with two psychology degrees, Patterson prosecuted nine years worth of gang-



Pictured: members of the youth development organization On Point, host a booth at Chattanooga's "Be the Change" rally at Miller Park. About 600 youths, many from the city's "hot spot" or gang entrenched areas, enjoyed musical entertainment by their peers, while learning about various service learning opportunities they could take part in throughout the city.

related cases before taking on a new role, Gang Task Force coordinator. It's a job he doesn't take lightly; one where he and other community leaders, umbrellaed under the heading *The Future is Ours*, are striving to help Chattanooga's young people discover their voice through learning opportunities and lots of positive power.

"Once a kid fully realizes they

## "Have 2 ways out" theme to spark Fire Prevention Week in Tennessee

BY VICTORIA SOUTH  
TML Communications Coordinator

Road closed? Take the detour. The same holds true in a fire, when getting out alive should be everyone's ultimate objective. This year, fire departments across the nation will be spreading the message to "Have 2 Ways Out," as part of the National Fire Protection Association's (NFPA) initiative to promote alternative fire routes.

In 2010, according to NFPA statistics, U.S. fire departments responded to 369,500 home structure fires. One home structure fire was reported every 85 seconds causing 13,350 civilian injuries and 2,640 deaths. Southern regions ranked the highest, at 5.2 fires per thousand in population. In Tennessee, last year, fire departments responded to 28,187 fires with 9,901 of the fires occurring inside buildings.

"It's important to always be aware of your surroundings and make sure you have an alternate exit, whether at home, the movie theater, shopping or spending the night with a friend," said Tullahoma Fire Chief Richard Chastain.

"If you're in a fire, and don't have two ways out, you probably have a 50/50 chance of getting out," said state Assistant Fire Commis-



The Greeneville Fire Department responding to a residential fire. In Tennessee last year, fire departments responded to 28,187 fires with 9,901 of those fires occurring inside buildings.

sioner Gary West. "Exits are supposed to be remote from each other."

According to the NFPA, while almost three-quarters of Americans claim to have an escape plan; less than half say they have actually practiced it. This year's NFPA theme not only focuses on the importance of fire escape planning and practice, it asks citizens to go one step further by identifying an alternative route in

the event their planned exit is blocked by smoke or flames.

As a kick off to National Fire Prevention Week, Oct. 7-13, Tennessee's 2nd Annual Fire Prevention Day, held Oct. 5, at Nashville's Bicentennial Capitol Mall State Park, will provide a variety of fun-filled lessons emphasizing fire safety. Whether trying out

See **PREVENTION** on Page 10

## City revenue drops for sixth year

Cities continue to face the prolonged effects of the economic downturn according to a new report by the National League of Cities (NLC). The 27th annual City Fiscal Conditions report shows that for the sixth straight year city revenues continue to fall as financial pressures such as infrastructure, health care and pension costs combine with cuts in state and federal aid to weigh heavily on cities' bottom lines.

In a survey of city finance officers, the report shows that as a result of these pressures, cities are making personnel cuts, delaying or canceling infrastructure projects and cutting local services. The report also projects that 2013 will continue to present challenges to city budgets due to stagnant housing markets, high unemployment, and looming federal budget cuts.

The full report can be accessed here: [www.nlc.org/cfc2012](http://www.nlc.org/cfc2012)

"This report demonstrates the difficult operating environment facing city officials," said Ted Ellis, NLC president and mayor of

Bluffton, IN. He continued, "Local leaders are still paying their bills and working to create opportunities for growth in their local communities. But local governments need certainty and support from their federal counterparts."

Despite the news, the report does show some signs of fiscal improvement, with 43 percent of city finance officers revealing they are less able to meet city needs than last year. This number is an improvement over 2011 where 57 percent of finance officers said their city was less able to meet financial needs and considerably better than the 87 percent in 2010 and 88 percent in 2009 of finance officers who said they were less able to meet city fiscal needs than in the year prior.

"While there are signs of improvement, it is still too early to say that cities have turned the corner," said Christopher Hoene, co-author of the report and director of the Center for Research and Innovation at NLC. He continued, "The broader economy is still growing at a slow rate, and housing values, income levels, and consumer spending - the main determinants of tax receipts - are not improving significantly. It all points to a difficult 2013 for cities." Finance officers named a number of concerns that are playing a role in the fiscal health of cities. Most cited increased health care costs (81 percent), pension costs (77 percent), infrastructure costs (75 percent) and public safety demands (61 percent).

See **REVENUES** on Page 4

## Congress stalemate will affect state programs

BY JAKE GROVUM  
Stateline.org Staff Writer

"A self-inflicted wound" to a struggling economy. "Ham-handed cuts" nobody thought would actually happen. "The big, dumb spending cuts that no one wants."

Those are just three descriptions given to the looming federal budget reductions that are scheduled to take effect Jan. 2, 2013, unless Congress stops them. If they are enacted, more than \$1.2 trillion would be cut from federal spending in the next ten years, including nearly \$110 billion next year alone. The specter has produced jitters around the country. Heightening anxiety is the broader, so-called "fiscal cliff," a term that adds in the tax cuts also set to expire at the end of this year.

And there's reason to fear. The Congressional Budget Office has said going over the fiscal cliff would plunge the country back into recession in the first half of 2013. Unemployment would climb back over 9 percent, and economic growth wouldn't return for two years.

"Basically, this is a nightmare," Jared Bernstein, a former economic adviser to Vice President Joe Biden and a senior fellow at the Center on Budget and Policy Priorities, said at a recent briefing. "This economy really doesn't need another self-inflicted wound, and that's what this would be."

But for state and local governments in particular, the budget cuts would have acute and tangible ramifications. The reductions, known as the "sequester," would be made

across the board to a broad swath of federal spending. The cuts could not only ravage economies, but force states to backfill funding and scale back countless safety net programs.

Under the sequester, as laid out in the resolution to the 2011 debt ceiling crisis, the cuts would be divided between defense and non-defense discretionary spending. In the next fiscal year, for example, defense-related discretionary spending would be cut \$54.6 billion, or 10 percent. Non-defense would be cut \$38 billion, or 7.8 percent.

Big-ticket state-federal items such as Medicaid are exempt. Social Security and the bulk of Medicare spending are as well, although Medicare providers are facing a 2 percent, or \$11 billion, cut.

But holding those programs harmless means the cuts will fall on about a third of the federal budget, and much of the federal bureaucracy. The Federal Aviation Administration, which supports the operation of airports large and small, would be cut, along with Congress' own budget. Almost every federal agency, from the Small Business Administration to the Army Corps of Engineers and NASA, would face reductions. Even the IRS' fund for paying informants would be cut by \$10 million.

Spending cuts wouldn't differentiate between programs on the basis of necessity or effectiveness; reductions would be imposed broadly and equally. As stated in a recent Office of Management and Budget report: "Sequestration is a blunt and indiscriminate instrument. It's not

See **STALEMATE** on Page 7

# NEWS ACROSS TENNESSEE



## BY TML STAFF REPORTS

### BRISTOL

Bristol was selected by the Tennessee Department of Environment and Conservation (TDEC) to participate in the Tennessee Qualifying Local Program (QLP), a pilot program that will allow the city to assume complete regulatory authority for the stormwater management program. Bristol was one of five agencies selected to participate in the program - including the cities of Knoxville and Cookeville, and the counties of Knox and Washington. The QLP will eliminate the duplication of efforts currently placed on developers to seek permits from both TDEC and the city "This should result in a savings on both time and expense for local developers," said Bill Sorah, deputy city manager-Public Works. In addition, it places the responsibility for the enforcement of stormwater regulations with the city which should allow these issues to be addressed more expeditiously. In moving forward with the program, the city will be amending its erosion and sediment control ordinance to mirror the state requirements. The single permit system should go into effect by early 2013. The city will spend the next few months educating local developers and contractors as well as taking steps to move construction activities from a dual payment system to a single permit system administered by the local QLP.

### BROWNSVILLE

The city won the SouthWest Tennessee Development District's (SWTDD) ECD Community Excellence Award for its "Brownsville on the Move" program. The Community Excellence Award recognizes a community project within the SWTDD boundaries that shows initiative, reflects originality, demonstrates a collaborative effort, has long-term positive impact on the community, includes public participation and can easily be scaled or replicated in another community. With the Brownsville on the Move program, local officials recognized the need to create a new vision for their community that would set a course for the next 15-20 years and would impact the economic success of their city. Brownsville leaders contracted with the University of Memphis to generate and analyze a comprehensive plan and enlisted the help of local planners to assist in their effort. Composed of city leaders and residents, the group defined goals, principles and methodology. According to Joe Barker, SWTDD executive director, "the end product was a dynamic, well-documented and detailed blueprint for the future of their city that is based on extensive public input and creative 'out of the box' thinking."

### CHATTANOOGA

Amazon is expanding the full-time staff at its Chattanooga distribution center even before it ramps up hiring for its holiday Christmas season. "We're hiring for hundreds of positions in Chattanooga to meet increased demand," said a company spokeswoman. "We also expect to hire at our sites leading up to the holidays." In February, Amazon officials said it had 1,700 people at the 1 million-square-foot Enterprise South industrial park location. The

company said it is currently hiring for warehouse positions. Jobs will include picking, packing and shipping customer orders. An Amazon official said earlier this year that the company's Chattanooga and Cleveland distribution centers would likely employ 5,000 workers at some point this year.

### CHATTANOOGA

Its nickname is "Project Titan." The biggest solar park in Tennessee will be located in Chattanooga, when the \$30 million project comes on line next to the Volkswagen plant later this year. While the 65-acre VW facility will be big, it's just one of an array of solar projects which are or will be producing power in the Chattanooga area. Together, the projects make Hamilton County one of the largest, if not the biggest, generator of the energy statewide. When VW's 9.58 megawatts of solar come on line and Chattanooga Airport adds another 1.1 megawatts to other installations already operating, the city alone will produce about 13.15 megawatts, or more than 20 percent of the 62.3 megawatts in TVA's seven-state service area.

### CHATTANOOGA

Hönigsberg & Düvel Corporation, an information technology company, will expand its Chattanooga operations. The announcement represents an investment of \$600,000 and will create 116 new jobs. Hönigsberg & Düvel Corporation is an IT services company that specializes in consulting, project management, and outsourcing. The company is an independent, U.S.-based corporation and part of H&D International Group, a growing, global concern of more than 1,600 employees and 22 offices around the world. Hönigsberg & Düvel Corporation has specific expertise in automotive, banking, manufacturing, healthcare, telecommunications, utilities, government, and a variety of other industries.

### CLARKSVILLE

Clarksville's Downtown Market at Public Square was recently voted No. 1 in the state and No. 19 in the nation, in the 2012 America's Favorite Farmers Markets contest which is hosted each year by American Farmland. This is the third year in a row the Clarksville Downtown Market has won first place in the state of Tennessee, but the first time in the large market category. The contest was a nationwide challenge to see which of America's farmers markets can rally the most support from their communities.

### ELIZABETHTON

The city decided to combine its water and wastewater departments following the example of Johnson City and Kingsport's combined management of utilities. "There are many good reasons to consolidate the departments, such as streamlining operations, getting a more diverse staff and enjoying the benefits of economies of scale," said the city's utility director, Johann Coetzee. "We take water from the state's streams, prepare it for safe consumption and distribute it to our customers. Then we take the wastewater, clean it up and return it back to the state's streams. It means less duplication of equipment and personnel."



The city of Graysville recently completed renovations of an old elementary school to use as the city's new municipal building that houses the city hall, municipal court, the library and the police department. Pictured at the grand opening are: (front row) RETC Executive Director John Payne, Graysville Commissioner Andy Beene, Vice Mayor Jimmy Massengill, Commissioner Charles Kaylor, Mayor Ted Doss, State Sen. Ken Yager, State Rep. Jim Cobb. Back Row: Police Chief Erik Redden, City Judge Robert Philyaw, Court Clerk Michele Yearwood, Planning Commission Vice Chairperson Linda Kaylor, Librarian Debbie Pelfrey, Municipal Clerk Amanda Sulcer, Planning Commission Chairperson Kay Thurman, and City Recorder Michelle Horton.

### FRANKLIN

The city has begun using a new emergency notification system which will allow them to communicate with thousands of businesses and residents within minutes in an emergency. Those listed in the city's 9-1-1 database will automatically be subscribed to alerts by phone, though any citizen may self-register to provide additional contact information. Residents can also opt-out of the service. The city will be able to alert residents about fires, floods, sudden road closures, water utility maintenance, and other emergencies. Messages can be sent to residents on any communication path desired - cell phone, home phone, email, text messaging, fax, pager, PDA and more - ensuring that residents receive emergency information and important public service announcements in minutes. The alerts can also be sent to specific geographic areas which will allow the city to notify only those residents in the affected area, such as with an unexpected street closure or water main break. The notification system will be used in serious or emergency situations only.

### GRAYSVILLE

In 2008, when the Graysville Mayor and Board of Commissioners took office, they made a list of tasks they wanted to accomplish during their four-year term. Relocating the municipal building and city library outside the flood zone area ranked high on their list. The board began aggressively seeking grants to help with this task. The city received a grant/loan from USDA Rural Development to renovate the old Graysville Elementary School building into the municipal building. The majority of the work was completed by city employees and volunteers. The old school, which housed six classrooms, a gym and cafeteria, now houses the police department, municipal court, water works, animal control, library, a community center, and city administrative offices. This move has doubled the size of the library, provided an office for the mayor, an office for animal control, and a training room, which were not available at the old location.

### JOHNSON CITY

The Johnson City Development Authority approved a design for a



The city of Brownsville recently won the SouthWest Tennessee Development District's ECD Community Excellence Award for its "Brownsville on the Move" program. Pictured left to right: City Planner Sharon Hayes, Brownsville Mayor Jo Matherne, Regional Planner Tom Skehan.

new permanent open-air market that includes more space for vendors and promotes future growth of the market. The new structure is 43-feet wide and contains 62 spots covered by a traditional-style roof, and 31 additional vendor spots outside. The new Farmers' Market is part of a long-term downtown revitalization strategy unveiled in May by the council. In addition to seeing the Farmers' Market move to a permanent home, the strategy's other elements include moving Hands On! Regional Museum from its current location to a new facility. The move is creating a greater presence by East Tennessee State University downtown through the use of several city-owned buildings. It's also creating green space with an outdoor amphitheater near the Johnson City Public Library.

### NASHVILLE

Riders of Nashville's Music City Circuit could soon be riding around downtown in the quiet confines of all-electric buses. The Federal Transit Administration awarded Nashville a \$3 million grant to replace four hybrid buses with zero-emissions electric ones for the free bus service that circulates downtown. The Nashville Metropolitan Transit Authority operates the Music City Circuit. The circuit connects the central business district to destinations such as the Gulch, state Capitol and the Nashville Farmers' Market. The service began in March 2010

and ridership during fiscal 2012 reached nearly 296,000. The four all-electric buses will reduce diesel consumption by about 34,100 gallons a year, according to the Nashville MTA.

### OAK RIDGE

Oak Ridge National Lab has been working on eliminating power cords for all kinds of chargeable devices. Scientists are now close to commercializing wireless chargers for electric cars. There's no plug with the ORNL design. Equipment is buried under the pavement. It automatically links up over the air when an electric car pulls into a parking space. Researcher John Miller says wireless car charging is just the first step. Charging on-the-go is the ultimate goal.

### RIPLEY

The Southwest Tennessee Development District is awarding \$70,000 in funding to Lauderdale County government to build a second Regional Economic Development Initiative Digital Factory on the campus of Ripley High School in Lauderdale County. The Digital Factory is a work center that provides office space and training facilities for companies that need to conduct remote or online training courses. REDI built its first Digital Factory in Parsons in summer 2011. The factory helped create 46 new jobs in the area for graduates.

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# Athens completes wetlands project; garners stewardship award

BY MARK PENLAND & HAROLD MADISON

TDEC Office of Sustainable Practices

The city of Athens recently completed a wetlands restoration project at the city's E.G. Fisher Public Library. The project was funded using a \$125,500 grant from the Environmental Protection Agency along with matching funds resulting in a leveraged amount of \$1,162,000 for other projects throughout Athens. The project drew about 600 volunteers from a community of 14,000 people and has been awarded the 2012 Governor's Environmental Stewardship Award for Excellence in Natural Heritage.

The city undertook this project for several reasons including: severe flooding due to urbanization and wetland loss, the placement of the Oostanaula Creek on the 303(d) list of impaired waters, and incurred sediment and habitat alteration in the area. The wetlands restoration project included many ecosystems, such as wetlands, glades, riparian zones, stream banks, barrens and meadows. The location of the specific habitats was based upon site topography, soil texture and moisture, available light, and educational opportunities.

Precipitation runoff from the library roof and parking lots is directed to a stormwater wetland that naturally cleanses the water before it enters the Oostanaula Creek while a larger wetland captures any overflow from the stormwater wetland and serves as flood storage. This floodplain is designed to host a complex mix of wetland plants including water lilies, native flowers, flowering shrubs and trees, all of which are native species. Naturally occurring limestone outcrops near the creek provided an excellent opportunity to create a Limestone Glade, which is a unique eco-system that supports a diversity of plants and animals that have specifically adapted to shallow soils over limestone. Creating this habitat provides the citizens of Athens the opportunity to observe these rare species in their natural setting.

To further enhance the wetland area, Athens also added an Eastern Red Cedar Pergola. It features spacious tables, stone pavers, a vined canopy and hand carved post. The pergola can accommodate about 100 people and is used for public gatherings, fund raising activities, and other community events. Proceeds are used to support the library.

Initially, most residents were confused about the project's goals

and purpose. The city of Athens began a series of press releases and presentations to various civic organizations and groups. Further understanding of the project came when masses of volunteers were used for the plantings and about 600 volunteers logged nearly 5,000 service hours. During the first year, residents had questions like "where the water is" because they didn't understand a wetland is not a pond and has dry periods. Others thought the plants looked like weeds. More understanding came when the flowers peaked and the city conducted their first Wetland Festival. Tours continued while others requested to be involved in planting and weeding. Athens continues to conduct tours and discuss the wetland as each year volunteers participate in annual maintenance activities.

"There are maybe some that don't understand, but they are few and far between and are the ones that have not visited the wetland," explained Shawn Lindsey, Athens public works director.

This group gets even smaller as children, grandchildren, and scouts visit and go home to tell family and others what they learned at the Wet-



To further enhance the wetland area, Athens also added an Eastern Red Cedar Pergola.



The wetlands restoration project included many ecosystems, such as wetlands, glades, riparian zones, stream banks, barrens, and meadows.

land. While wetland maintenance activities and education efforts continue, the majority of the public has now embraced the concept of wetlands and the important role they play in our lives.

As a result of the wetlands project, Athens has been able to restore six acres at the library and will continue to use the facility for education and enjoyment by the community for years to come.



The Eastern Red Cedar Pergola features spacious tables, stone pavers, a vined canopy and hand carved post.

# TDEC creates external affairs office to improve customer service

BY BOB MARTINEAU

TDEC Commissioner

Under Gov. Bill Haslam's direction, the Department of Environment and Conservation, like other state agencies, undertook a "Top to Bottom" review with a focus on improving our customer service systems. As a result of the feedback we received during the review, we are in the process of implementing changes and improving our systems to increase efficiency and improve the service we provide to our customers.

Our partners in local government are critical customers – whether it be permitting for road projects, working to solve waste tire and other debris problems, protecting and improving our water and drinking water resources, assisting with industrial recruitment, or helping with constituent concerns. We know these and other issues are of concern to our cities and counties, and they are of concern to us as well.

To assist our partners and stakeholders, I reallocated resources within the department to create the Office of External Affairs, which includes a regional director for external affairs in each of our eight field offices across the state. These regional directors serve as a single point of contact for communities across Tennessee to help navigate permitting processes, assist entities with front-end compliance over back-end enforcement, and perhaps most importantly, provide our partners in local government with proactive information regarding everything from parks opportunities, to environmental concerns and grant offerings. (A summary of TDEC grant assistance programs is available at [www.tn.gov/environment/](http://www.tn.gov/environment/)

grants.) A map outlining all of the regions by county and the appropriate contact for each is available on our website at [www.tn.gov/environment/efo](http://www.tn.gov/environment/efo).

We recognize that consistency and efficiency in permitting across the state is critical to both our communities and the businesses that provide jobs in our communities. To that end, we have reconfigured some of our internal operations to break down silos and provide greater accountability for consistency across regions and divisions within the department. We are also instituting LEAN process management to increase the efficiency of our permitting processes and we are working to retool our website to allow people to do more business online.

The Department of Environment and Conservation's mission of protecting our air, land and water in Tennessee is an important one. I believe strongly that environmental protection and economic development can and do go hand-in-hand. We are committed to working with our counterparts in local and state government to be a good partner – to communicate, coordinate and help find solutions that benefit Tennesseans and the environment we all rely on and enjoy.

Your input is important to us. I hope you will use the external affairs team as a resource within TDEC to assist you with your needs and to provide the feedback we need to continue improving our customer service initiatives.

## Environmental Field Offices

[tn.gov/environment/efo](http://tn.gov/environment/efo)

<p><b>Have a Question about Tennessee's Environment?</b> Call 1-888-891-TDEC (8332) <a href="mailto:ask.tdec@tn.gov">ask.tdec@tn.gov</a> <a href="http://www.tn.gov/environment">www.tn.gov/environment</a></p>	<p><b>Nashville</b> 711 R.S. Gass Boulevard Nashville, Tennessee 37243 Phone: (615) 687-7000 FAX: (615) 687-7078 Meredith Sullivan Benton, Regional Director</p>	<p><b>Cookeville</b> 1221 South Willow Avenue Cookeville, Tennessee 38506 Phone: (931) 432-4015 FAX: (931) 432-6952 Jeni Lind Brinkman, Regional Director</p>	<p><b>Johnson City</b> 2305 Silverdale Road Johnson City, Tennessee 37601 Phone: (423) 854-5400 FAX: (423) 854-5401 Mark Braswell, Regional Director</p>
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## Grant money available for Tennessee Downtowns

The Tennessee Department of Economic and Community Development is now accepting applications for Tennessee Downtowns, a competitive community improvement program for communities seeking to revitalize traditional commercial districts. The program is open to communities with downtown commercial districts established at least 50 years ago and whose citizens are ready to organize efforts for downtown revitalization. Applications are available online at [www.tennessee-mainstreet.org](http://www.tennessee-mainstreet.org) and must be completed by Nov. 1.

"A healthy downtown historic district is a sign of a vibrant local economy," ECD Commissioner Bill Hagerty said. "Making our downtowns even better places to live and work can pay dividends in terms of attracting new jobs and investment." Tennessee Downtowns is a tiered program affiliated with ECD's Tennessee Main Street Program. Communities selected to participate in Tennessee Downtowns will form a volunteer committee of local citizens who will participate in an 18-month training curriculum supported by the National Main Street Center. The curriculum is based on the successful "Main Street Four-Point Approach to Downtown Revitalization" program and is designed to teach citizens about comprehensive, sustainable downtown revitalization and historic preservation. The training includes attendance at all regional workshops and a \$15,000 grant to complete individualized downtown development projects.

"The Tennessee Downtowns program launched in 2009 and has been an incredible asset to our rural communities," Dan Hawk, ECD Rural Development director, said. "This will be our third round of Tennessee Downtowns communities, and we hope the program will continue to be a vital asset to rural com-



munities across the state."

Communities participating in the Tennessee Downtowns program may wish to continue a self-initiated downtown revitalization effort at the end of the program or apply for certification in the Tennessee Main Street Program through the competitive application process. Successful completion of the Tennessee Downtowns program does not automatically result in qualification for the Main Street program.

Downtown revitalization is a comprehensive, incremental, self-help economic strategy that also focuses on developing public-private partnerships to enhance community livability and job creation, while maintaining the historic character of the district.

Tennessee's Main Street program provides communities with technical assistance and guidance in developing long-term strategies that promote economic growth and development. The program provides information and assistance in forging public networking and training opportunities for downtown commercial districts. Tennessee Main Street communities are part of the National Main Street Center's network.

To apply for the Tennessee Downtowns program or for more information, visit [www.tennessee-mainstreet.org](http://www.tennessee-mainstreet.org). For questions about the program, please contact Amy New, 615.253.1948 or [Amy.New@tn.gov](mailto:Amy.New@tn.gov).

## Tennessee revenue collections fall short of budgeted estimates

Tennessee revenue collections fell short of budgeted estimates for the first month of the state's fiscal year. Finance and Administration Commissioner Mark Emkes reported that overall August revenues were \$814.8 million, which is only 1.01 percent above August 2011 collections.

"We've been concerned about the very slow recovery on the national economic level, and August collections in Tennessee unfortunately confirm those fears," Emkes said. "Sales tax collections for the last two consecutive months were somewhat weak, but corporate tax collections continued to record respectable growth, all of which kept us above the budgeted estimate before August."

"We will continue monitoring the state's spending and revenue pat-

terns as we begin preparations for the 2014 budget."

On an accrual basis, August is the first month in the 2012-2013 fiscal year.

August collections were \$13.8 million less than the budgeted estimate. The general fund was under collected by \$6.3 million and the four other funds were under collected by \$7.5 million.

Sales tax collections were \$15.7 million less than the estimate for August. The August growth rate was positive 1.13 percent.

Franchise and excise taxes combined were \$5.1 million above the budgeted estimate of \$30.3 million.

Gasoline and motor fuel collections decreased by 8.30 percent from August of 2011, and were \$6.7 million below the budgeted estimate of \$73.8 million.

Inheritance tax collections were \$4.7 million above the budgeted estimate.

Privilege tax collections were \$0.6 million less than the budgeted estimate of \$16.4 million.

Business tax collections were \$0.8 million above the August estimate.

Tobacco tax collections for the month were over collected by \$0.9 million.

All other taxes were under collected by a net of \$2.3 million.

The budgeted revenue estimates for 2012-2013 are based on the State Funding Board's consensus recommendation of Dec. 19, 2011, and adopted by the second session of the 107th General Assembly in April 2012. They are available on the state's website at [www.tn.gov/finance/bud/budget.html](http://www.tn.gov/finance/bud/budget.html).

## Website tracks Tennessee economic recovery

The economy remains the number-one topic of conversation throughout the country. Where do we stand, and when is a full recovery in sight? Since the recession started, the staff of the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) has partnered with the Middle Tennessee State University Business and Economic Research Center (BERC) to provide a website to track the state economy during the recovery from the recession that began in December 2007.

The site allows the reader to follow labor-force status including employment and unemployment numbers, housing data including a housing price index and construction activity, and sales tax collections. These data is available for the state and 10 metropolitan statistical areas across the state, and some of that data is for all 95 Tennessee counties. Presented graphically, the data may also be downloaded in spreadsheets for use at the reader's convenience.

The National Bureau of Economic Research (NBER), a private, non-profit research organization that includes academic and non-ac-



ademic economists, dates the expansion and contraction of the U.S. economy. NBER has dated the latest recession as beginning in December 2007 and ending in June 2009. While the recession may have ended in 2009, satisfactory job growth has eluded the national and most local economies.

To follow the progress of the Tennessee economy, indicators of economic activity are tracked going back at least until 2007.

The site can be accessed at both the TACIR website, [www.state.tn.us/tacir](http://www.state.tn.us/tacir), and at the BERC website <http://frank.mtsu.edu/~berc/tacir/tacir.html>.

## City revenue drops for sixth year

**REVENUES** from Page 1

Respondents also noted a general increase in costs (83 percent) along with reduced federal aid levels (51 percent), declining local tax bases (47 percent) and decreased health of the local economy (42 percent).

The report also reveals that the performance of city tax revenues continues to be a key concern. Property tax revenues are projected to fall for the third year in a row by -2.1 percent, especially important since most cities have some form of local property tax. Income tax revenues are expected to continue dropping (-0.8 percent) as the unemployment rate remains high. One bright spot is sales tax revenues, which started creeping up in 2011, and are projected to fall for the third year in a row by 2.1 percent, especially important since most cities have some form of local property tax. Income tax revenues are expected to continue dropping (-0.8 percent) as the

unemployment rate remains high. **One bright spot is sales tax revenues, which started creeping up in 2011, and are projected to continue to rise by 2.4 percent in 2012.**

As a result, the report finds that cities are taking action to ensure appropriate levels of funding for city services and budget requirements. Two in five (43 percent) have raised fee levels, with cities shrinking the size of their workforce (48 percent), decreasing human services spending (21 percent) and reducing spending for services other than public safety and human services (25 percent), like parks, recreation, and libraries.

"Cities have been making significant cuts to their budgets for several years now, and that trend will continue," says Michael Pagano, co-author of the report and dean of the College of Urban Planning and Public Affairs at the University of Illinois at Chicago.

He continued, "These are seri-

ous times for cities and their residents. Difficult, but manageable, financial hurdles for cities will remain for the foreseeable future."

The National League of Cities is a resource and advocate for 19,000 cities, towns and villages, representing more than 218 million Americans. Through its Center for Research and Innovation, NLC develops, conducts, and reports research on issues affecting cities and towns.

The center assists cities and their leaders to implement innovative practices by providing qualified information and technical assistance. NLC conducts the survey each year in partnership with the University of Illinois at Chicago's College of Urban Planning and Public Affairs, a nationally recognized innovator in education, research, and engagement in support of the nation's cities and metropolitan areas. Pagano has helped conduct the survey since 1991.

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## PEOPLE IN THE NEWS

### BY TML STAFF REPORTS

**Bill Hagerty** is stepping away from his role as commissioner of the Economic and Community Development Department to work for Republican Mitt Romney's presidential campaign. Hagerty will serve as a member of the campaign's presidential readiness team in Washington. He held a similar role in Sen. John McCain's presidential campaign four years ago. Claude Ramsey, Gov. Haslam's deputy, will run the agency until Hagerty's return after the election.



Hagerty

**Sen. Beverly Marrero**, after 10 years in the Legislature, has lost her bid for re-election to her Memphis district in last month's Democratic primary against Sen. Jim Kyle. Marrero said she'd like to be remembered for standing up for women, the environment and people with disabilities, but realizes people will probably also remember her for her many hats. Through the years, Marrero said she transported the hats in boxes between her Memphis district and the state Capitol.



Marrero

U.S. Rep. **Diane Black**, Gallatin, has been named one of four sophomore lawmakers to watch in the next Congress by *National Journal*, a Washington magazine that's focuses on national politics. Black was tabbed because she is a member of the House Ways &



Black

Means Committee, which could deal with health care and tax reform in the upcoming Congress. As a former nurse, Black can be "an authoritative figure when the committee deals with health care legislation," said the magazine.



Beets

Kingston Mayor **Troy Beets** is the newest member of the Tennessee Advisory Commission on Intergovernmental Relations (TACIR). Beets is appointed to serve on the commission from July 2012 to July 2016. He replaces Bartlett Mayor Keith McDonald. Beets currently serves on the Board of Directors of the Tennessee Municipal League. He has also served as President Elect of the TN County Commissioners Association, and chair of the Roane County/TVA Economic Foundation Board.

Franklin Fire Chief **Rocky Garzarek** was honored at the Fire-Rescue International conference for receiving the professional designation of "Chief Fire Officer." Awarded by the Commission on Professional Credentialing, Garzarek is one of only six Chief Fire Officers in Tennessee and 880 with the certification worldwide. The program uses a peer review model to evaluate candidates through an assessment of the applicant's education, experience, professional development, technical competencies, contributions to the profession, community involvement and more. Franklin's fire chief since 2004, Garzarek, a former paramedic, has also improved the



Garzarek

department's level of medical response, from First Responder to Advanced Life Support (paramedic care). Garzarek is first vice president of the Southeastern Association of Fire Chiefs and will transition to become president in 2013.

Two longtime employees of the Knoxville Engineering Department have been honored by professional associations and appointed to prominent professional boards. **Stephen J. King**, deputy director of Engineering, was given the Professional Engineer in Government Award by the Knoxville chapter of the Tennessee Society of Professional Engineers. This award recognizes a professional engineer employed by a local, state, or federal governmental agency for his/her engineering achievements, education, continuing education, professional/technical society activities, TSPE membership, awards or honors, and civic and humanitarian activities. King has also been named by Gov. Bill Haslam to a four-year term on the Tennessee State Board of Architectural and Engineering Examiners. The board is responsible for regulating and registering engineers, architects, landscape architects, and registered interior designers across the state. Engineering Planning Chief **Brent Johnson** has been invited by the National Association of Flood and Stormwater Management Agencies to co-chair the organization's Stormwater Committee. The committee consists of about 40 members from agencies across the country and has two co-chairs, one from the Western states and one from the Eastern states. Johnson has been named as the Tennessee delegate to the National Society of Professional Engineers' House of Delegates, the agenda-setting body for the national organization. NSPE House of Delegates includes one member representative from each state and territorial chapter.

## McMillan receives National Multiple Sclerosis Society's highest award

Clarksville Mayor Kim McMillan was honored Sept. 20 by the National Multiple Sclerosis Society at the 22nd Annual Nashville Dinner of MS Champions. McMillan received the Mid-South Chapter's highest honor for outstanding civic and community service, The Hope Award, for her strong community presence and commitment to help find a cause and cure for multiple sclerosis.

McMillan was sworn in as mayor in 2011 becoming the first woman to serve as mayor of any Tennessee city with a population more than 100,000. Prior to that, she served in the House of Representatives for 12 years and was elected by her colleagues to the position of House Majority Leader, becoming the first female in Tennessee history to serve in this position in either chamber of the General Assembly. Proceeds from the awards dinner are



McMillan

used to provide client services in Tennessee and parts of Georgia, Arkansas and Mississippi and to continue research conducted on the national level to find the cause and cure of MS.

## Wolf awarded CEMSO accreditation

At the Fire-Rescue International Conference recently held in Denver, UT Municipal Technical Advisory Service's (MTAS) Fire Management Consultant Dennis Wolf was re-designated as a Chief Emergency Medical Services Officer (CEMSO), personal accreditation from the Center for Public Safety Excellence.

The CEMSO accreditation is awarded to individuals after a peer review of the candidate's education (formal degrees), certifications, training/ courses, development goals, professional contributions and recognition, professional memberships, affiliations, and community involvement and technical competencies.

The Commission on Professional Credentialing (CPC) makes the final determination of applicant eligibility and confers the CEMSO designation, which is valid for three years.

The CEMSO designation shows that the individual has demonstrated



Wolf

a strategy for continued career improvement and development, engaged in professional and personal growth, displayed superior leadership characteristics and exhibited a commitment to continuing education, training and skill proficiency. Wolf received his original designation in 2008 and is the only person in Tennessee to hold the CEMSO designation.

## STATE BRIEFS

### BY TML STAFF REPORTS

#### Celebration kicks off SR 840

State Route 840 is finally complete, and the governor and other local officials plan to celebrate with a day of bike rides, food and music. The Oct. 13 celebration, branded "Enjoy the Ride!" honors State Route 840 that connects Davidson, Wilson, Rutherford, Williamson, Hickman and Dickson counties, and provides access to Interstate 40 both east and west of Nashville, Interstate 65 and Interstate 24. A 14-mile section in Williamson County marks the completion of the scenic 78-mile route. Several bike routes on 840, including four mile and 28 mile options, will be open to the public for one day only.

#### State unveils new college savings plan

State officials announced a new college savings plan in Tennessee aimed at helping more students afford a higher education. The "TNStars College Savings 529 Program" takes its name from section 529 of the Internal Revenue Service code, which authorized the creation of tax-advantaged plans in 1996. To encourage enrollment in the program, Tennesseans who open accounts with at least \$50 will receive a one-time \$50 match from the state. Those who roll over their account balances from other 529 college savings plans, including the state's pre-paid plan, will get \$100.

#### Driver's license kiosks in the works

By November, Tennessee residents needing to renew or replace their driver's licenses could be going to their local library, police precinct or county clerk's office, and using a self-service kiosk instead of one of the driver service centers. State officials are even in talks with a national retail outlet chain where some kiosks may be located. The negotiations are still in the works. "We want to give customers more options and easy access as opposed to them coming to the driver service centers," said Michael Hogan, director of the state's driver license office.

#### Businesses to pay less in trust fund

Tennessee business will get to pay less into the state's unemployment trust fund, at least for a little while.

It's first time there's been a decrease in three years. Payments are going down about one percent, but the decrease could be short lived. It's certainly conceivable, if not likely, that rates would change again on January 1. "The amount of money in the trust fund can fluctuate wildly. Just two years ago, the amount was so low the state needed loans and federal stimulus money to pay out benefits," said Danny Burk, the Department of Labor and Workforce Development.

#### TN poverty rate drops slightly

The state's poverty rate dropped slightly last year, even as the national rate jumped to 46 million people. Tennessee still has some of the highest poverty numbers in the nation. According to new numbers from the Census Bureau, about 77,000 fewer Tennesseans are living in poverty. However, the number is still higher than before the recession. In the last year, the state's jobless rate has fallen. Also, some of the state's poorest communities have announced new efforts to tackle poverty. Memphis Mayor AC Wharton will soon unveil a plan he says will cut the city's poverty rate by 10 percent in a decade. Today's Census report also showed a decrease in poverty across the South in the last three years, but the region is still the nation's poorest. More than 18 million Southerners live below the poverty line. The Census Bureau's figures are based on the federal poverty line, which is about \$23,000 for a family of four.

#### Uninsured figures drop

A study of the state's TennCare program found the number of uninsured

Tennesseans has dropped to 9.2 percent, the lowest percentage since 2005. The number of uninsured adults decreased from 12 percent in 2011 to 11.2 percent this year. The number of uninsured children increased slightly from 2.4 to 2.7 percent, but still remains low. The telephone survey of 5,000 heads of household by the Center for Business and Economic Research found 93 percent of TennCare recipients are satisfied with the program. About 70 percent said their own care was either "good" or excellent," while 80 percent rated their children's care in one of those two categories.

#### Obesity may cost TN 12B annually

Tennessee could spend more than \$12 billion a year on obesity-related health costs by 2020, according to a recent study. The Annual "F as in Fat" report from the Robert Wood Johnson Foundation and Trust For America's Health looked at data from the last two decades to predict future trends. By the year 2030, the study says more than 63 percent of Tennessee residents will be obese. That would make Tennessee the fourth fattest state in the nation. The future numbers are based on how many Tennessee children have serious weight issues now. Adulthood is when most people start to feel the consequences of obesity, including hypertension and diabetes. According to the model used in the report, Tennessee could be number two in the nation for diabetes by 2030. The report also looks at potential savings if states could lower obesity rates. Tennessee launched the Obesity Task Force in 2007, and Gov. Haslam has listed the issue as a priority, promising money in the budget next year to target obesity. The "F as in Fat" report can be viewed at

## TDEC establishes new recycling hub facilities



Representatives from the counties of Chester, Hardin and McNairy gather in Henderson to celebrate a new recycling hub facility. Pictured left are: Rep. Steve McDaniel, Sen. Dolores Gresham and Chester County Mayor Dwain Seaton, Sr. Right: TDEC Deputy Commissioner Shari Meghreblian and TDEC Commissioner Bob Martineau.

Over the past year, TDEC's Division of Solid Waste Management coordinated with local governments, non-profit organizations and private industry to establish at least three recycling hub pilot projects across the state with one facility in each grand division.

The goal is to promote and increase recycling across Tennessee, engage municipal governments to partner with other local

governments for recycling, and to promote Tennessee industries through recycling.

The counties of Chester, Hardin and McNairy received the first grant awarded this year, totaling \$282,500 for a joint project to build a recycling hub facility. The project will expand existing services in Chester County to improve recycling in the entire Shiloh Region, including the cities of Savannah, Henderson and Selmer.

www.healthyamericans.org;  
www.rwjf.org

**EnSafe awarded state contract**  
Memphis-based EnSafe Inc. has been awarded a \$5 million environmental services contract from the state. The contract is expected to extend between three and five years

and will be administered through the Tennessee Department of General Services for environmental services to state properties, interests and initiatives. The work will include consulting, assessments, surveys, monitoring, training and remediation for environmental regulatory compliance around the state.

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### CITY ADMINISTRATOR

**LAWRENCEBURG.** The city is seeking qualified applicants for the position of City Administrator. The position is responsible to a five-member Board of Mayor and Council for the administration of all city services and departments, including, but not limited to, finance and administration, public works, code enforcement, sanitation, parks and recreation, safety, fire, police, planning and zoning, personnel, emergency and storm water management, and tax collection. The ideal candidate will have a Bachelor's Degree in public administration, business, or related field (Master's Degree preferred), and will have some experience in city administration, local government, or equivalent experience. The successful candidate must reside within five (5) miles of the corporate limits of the City of Lawrenceburg in Lawrence County within 90 days from the date of hire. The City is an EEO employer. Resumes will be received at the following address: City of Lawrenceburg, ATTN: Human Resources Director, 233 W. Gaines Street, NB/U#4, Lawrenceburg, TN, 38464. All applications must be received NLT COB 10/12/12.

### FIREFIGHTER/EMT and/or PARAMEDIC

**PIGEON FORGE.** The Pigeon Forge Fire Department is accepting applications for Firefighter/EMT. Requirements/qualifications include: Graduation from high school or equivalent, possessing a valid Tennessee Drivers License with the ability to obtain F endorsement, citizen of the United States, no felony conviction, or guilty plea to any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, liquor or controlled substance. Must possess a live fire training certificate from the Tennessee State Fire School, Tennessee State Fire and Codes Enforcement Academy or Tennessee Commission of Firefighting. Must successfully complete the Additional Tennessee Fire Academy Courses and Tennessee Commission Certification within three (3) years of hire date (Tennessee Fire Commission Firefighter II, NFPA Vehicle Extrication, Tennessee Fire and Codes Enforcement Academy Pump I, II, III). Must be Certified and maintain his or her Tennessee Emergency Medical Technician (EMT or Tennessee Emergency Medical Technician, or a EMTP) Certification with the State of Tennessee Department of Health within three (3) months of hire date. State and city fire regulations and knowledge governing fire prevention, knowledge of geographic Sevier County area, in specific city of Pigeon Forge, Basic/Advance Life Support knowledge and training, knowledge, training operational skills and intended uses of firefighting equipment; ability to wear heavy protective clothing for extended periods of time, in extreme uncontrolled temperature conditions, close/confined quarters, involving smoke and chemical fumes; and the ability to climb ladders to extreme heights. Requires exerting excess of 100 lbs. of lifting on an occasional basis and an exertion of 50 lbs. on a frequent basis. Application packets may be picked up at the City of Pigeon Forge Human Resource Department, 225 Pine Mountain Road, Pigeon Forge, TN 37863. Out of town applicants may submit a request via e-mail by submitting his or her name and complete mailing address, to: [hrjobloc21@cityofpigeonforge.com](mailto:hrjobloc21@cityofpigeonforge.com) An application packet will be mailed directly to you. Application and required data must be post-marked by Friday, October 5, 2012. Address: City of Pigeon Forge, Human Resource Department, P.O. Box 1350, Pigeon Forge, TN 37868-1350. No phone calls, please. The city of Pigeon Forge is EOE, complies w/ADA, and Title VI. Applicant will be subject to post offer baseline job physical, including a musculoskeletal screening and subject to drug test in accordance with city policy. Applicant will be required to satisfactorily pass a background and driving history check.

## Tennessee cities receive CDBG funds

Gov. Bill Haslam recently awarded seven communities with Community Development Block Grants to assist with infrastructure improvements.

The grant recipients included Alexandria, Algood, Lafayette, McMinnville, South Carthage, Sparta and Westmoreland. Additional CDBG recipients will be announced throughout September and October.

"Community Development Block Grants allow communities to complete projects that will ultimately lay the ground work for future economic development opportunities," Haslam said. "I am pleased the state of Tennessee is able to partner with our local communities to make this project a reality."

The funds were allocated under a procedure authorized by the Tennessee General Assembly.

Allocation of CDBG funds is based on priorities set at local levels where community needs are best known. The CDBG program is administered in Tennessee by the Department of Economic and Community Development.

"CDBG has such a huge impact on our rural communities where we have some of our biggest challenges in economic development," Haslam said. "Having the proper infrastructure in place can lead to additional jobs and investments for a community and enhance the quality of life for its residents."

The grants were approved following an application by each com-

munity and are supported by Sens. Mae Beavers, Kerry Roberts, Charlotte Burks and Eric Stewart; Reps. Terri Lynn Weaver, Ryan Williams, Charles Curtiss and Michael McDonald; Mayors Maria Baker, Terry Foutch, Richard Driver,

Norman Rone, Jimmy Wheeler, Jeff Young and Mike Carter.

U.S. Sen. Lamar Alexander, U.S. Sen. Bob Corker, U.S. Rep. Diane Black and U.S. Rep. Scott DesJarlais aided in securing the funds.

Community	Project	CDBG Amount	Local Funds	Total Amount for Project
Alexandria	Water Systems Improvements	\$500,000	\$50,000	\$550,000
Algood	Housing Rehabilitation	\$500,000	N/A	\$500,000
Lafayette	Sewer Systems Improvements	\$500,000	\$102,410	\$692,410
McMinnville	Sewer Systems Improvements	\$500,000	\$80,000	\$580,000
South Carthage	Sewer Systems Improvements	\$250,000	\$30,899	\$280,899
Sparta	Sewer Systems Improvements	\$500,000	\$665,067	\$1,165,067
Westmoreland	Water Systems Improvements	\$400,000	\$34,800	\$434,800

## TN entrepreneurship and small business development course offered in Nashville

Promoting entrepreneurship and small business development is a growing strategy for job creation and economic development in Tennessee communities. The Tennessee Entrepreneurship and Small Business Development Course is designed to help economic development practitioners, government leaders, and others interested in economic development at state, regional, and local levels understand

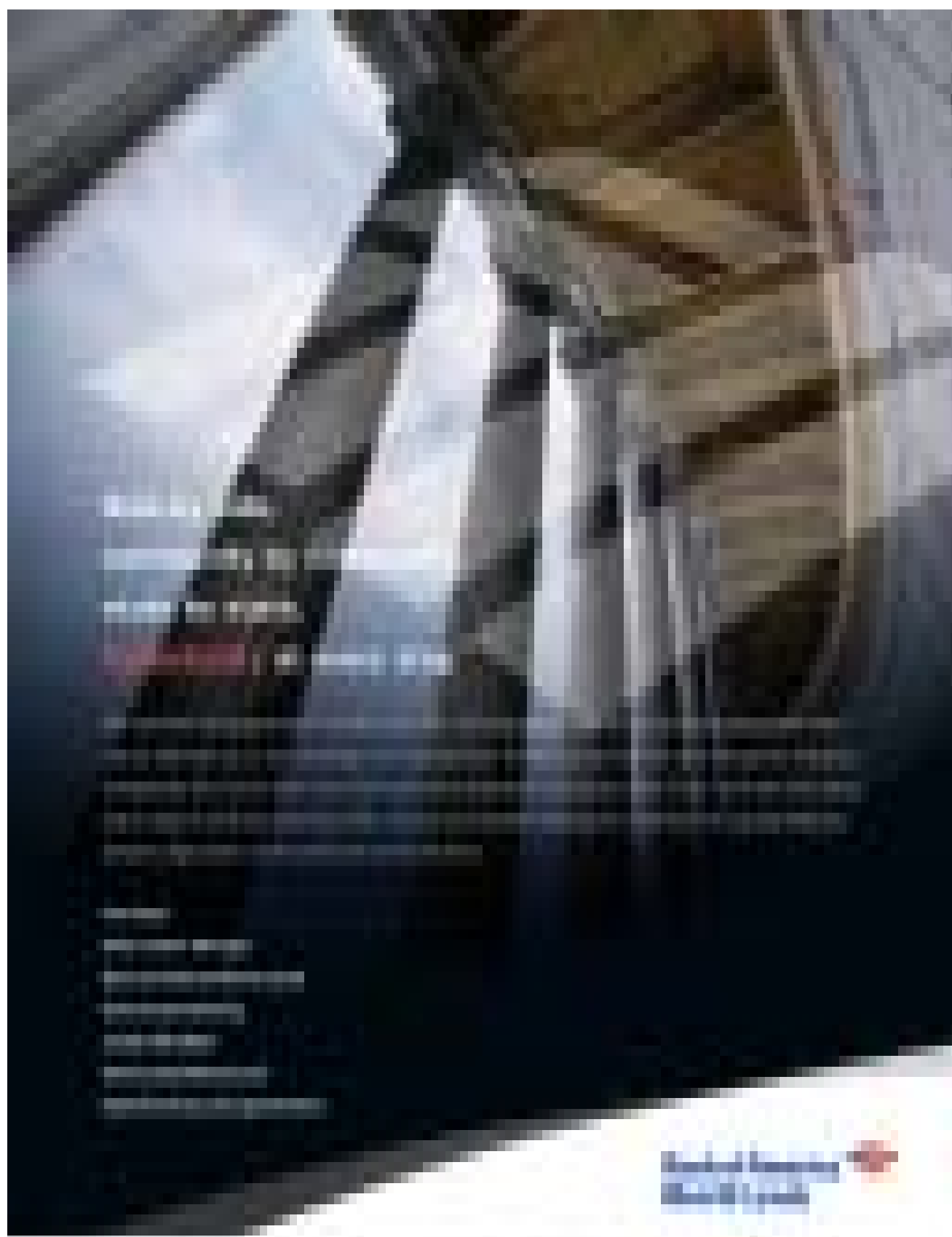
the economic impact of small businesses on local and regional economies, identify needs of entrepreneurs and small businesses and available resources to assist them, and develop effective networks and strategies to support entrepreneurship and small business development.

This course will be offered November 7 - 8 at the Nashville downtown Homewood Suites by Hilton

(706 Church Street).

The course will begin at 1 pm on Wednesday, November 7 and adjourn at 4:30 pm, Thursday November 8. Course fee is \$295, which includes lunch, continental breakfast, snacks and course materials.

For additional course information and to register visit [www.cis.tennessee.edu/edtraining](http://www.cis.tennessee.edu/edtraining) or contact Dr. Andre Temple at [andre.temple@tennessee.edu](mailto:andre.temple@tennessee.edu).



### Oct. 1-10: Chattanooga

**RiverRocks Outdoor Festival**  
More than 90 events, including hot air balloons in Coolidge Park, IMAX great adventure films, kids activities, canoe jousting, kayak races, leisure paddle rides, geocaching, casual bike rides, bird watching, rock climbing, mountain biking, trail running events and much more. For more information and a complete schedule of events, visit the website <http://www.riverrockschattanooga.com/>

### Oct. 5-7: Jonesborough

**40th Annual National Storytelling Festival**  
International Storytelling Center, 116 W. Main St. The most prestigious storytelling festival in the U.S. For more information and a complete schedule of events, visit <http://www.storytellingcenter.net/festival>.

### Oct. 6: Centerville

**National Banana Pudding Festival**  
Hickman Co. Ag. Pavillion, 979 Grinder's Switch, 9 am-6pm. Miss Banana Pudding Pageant, Pudding Cook Off, two entertainment stages, food, children's area, crafts. For more information, visit [http://bananapuddingfest.org/?page\\_id=48](http://bananapuddingfest.org/?page_id=48)

### Oct. 6: Chattanooga

**Wine Over Water**  
From 5-8 pm, be treated to wine from more than 100 wineries, hors d'oeuvres and live music across the historic Walnut Street Bridge. Proceeds benefit the preservation of historical properties. Held rain or shine. For more information, visit [www.wineoverwater.org](http://www.wineoverwater.org).

### Oct. 6: Cumberland Gap

**Crazy Aunt Sadie's Yard Sale**  
Crazy sales, even crazier prices. Enjoy the magnificent sights at Cumberland Gap. For more information or to register online, visit [www.townofcumberlandgap.com](http://www.townofcumberlandgap.com) or call 423-869-3860.

### Oct 6-7: Newport

**27th Annual Harvest Street Festival**  
111 Court Ave. Arts, crafts, entertainment, food, Kiddie Land and much more. For more information, call 423-623-7201.

### Oct 13: Spring Hill

**Hootenanny AutumnFest**  
1213 School Street, downtown. Features a vintage market, lots of food and music. For more information, call 931-489-0022.

### Oct. 20-21: Nashville

**Music & Molasses Arts Festival**  
Ellington Agricultural Center, 440 Hogan Rd. Opens at 10 am. Bluegrass and mountain music mixed with sorghum molasses bubbling over an open fire; woodworking, basket weaving, blacksmithing, quilting and much more. "Farmer for a Day" activities for children and lots of good country cooking. For more information, call 615-837-5103 or visit the website <http://magmuseum.org/special.html>

### Oct. 20-21: Cleveland

**Apple Festival**  
Downtown. Fall family fun with a juried art and craft show, live music, food, pony and hay rides and other family entertainment. Children's activities in the Trailhead Bicycle Kid's Zone are free. Little Miss, Jr. Miss and Miss Apple Blossom contests. Sat. 10 am-6 pm and Sun. 1-6 pm. For more information, visit <http://clevelandapplefestival.org/> or call 423-503-4114.

### Oct. 20-21: Bell Buckle

**36th Annual Webb School Art & Craft Fair**  
Established in 1852, Bell Buckle is known for its antiques, quilts, handmade crafts, country music, home-cooking and Southern hospitality. Held on the historic Webb School campus at the Sawney lot on Maple Street, more than 130 booths highlight hand crafted work: in clay, wood, baskets, metal, botanicals, iron works, jewelry, paintings, glass and fiber, sculpture, two-dimensional paintings and photography.

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# Spending stalemate would affect the states

## STALEMATE from Page 1

the responsible way for our nation to achieve deficit reduction."

**Cuts to the States**

Of all the myriad reductions threatening states, there's one that seems to have generated the most public concern: cuts to education.

States are set to receive more than \$15.7 billion in basic elementary and secondary education dollars from the federal government, which includes Title I funding for the disadvantaged. Under sequestration, that would be cut nearly \$1.3 billion. The \$12.6 billion in federal money for special education would also be reduced more than \$1 billion.

While those reductions are about the same 8 percent as the rest of the cuts, they comprise a large portion of the cuts states would have to bear under sequestration. What's more, in many states education spending is dictated by state constitutions or court decisions, which could force legislatures to backfill the reductions.

"Those are big dollars," says Chris Whatley, director of the Council of State Governments' Washington office. "You can't just make easy shifts in education funding."

And in states with a heavy concentration of military installations, the pain could be worse. Military personnel spending is exempt from the cuts, but activities such as equipment maintenance, construction, procurement and research and development are not. That means tens of thousands of civilian Department of Defense and private sector jobs could be at risk, along with tens of billions in economic activity associated with that spending. Many defense contractors are already prepar-

ing pink slips for employees.

States would also be hit by more than \$2.5 billion in cuts destined for the National Institutes of Health. Those reductions, which would affect grants that go to pharmaceutical companies and higher education institutions, could cost some states hundreds of millions in research and development dollars next year.

But perhaps the most varied effect of the cuts will be felt by the millions of people around the country who rely on federal grants to support social services and safety net programs. If those reductions are enacted, states would have to decide whether or not to replace them. Some would likely scale back or eliminate programs rather than fill in the gaps themselves.

The federal block grant for energy assistance, which states use to help low-income households pay heating and cooling bills, would be cut even though funding for it has dwindled in recent years. Nearly \$550 million would be cut from special food assistance for women, infants and children, known as WIC. And federal funds that support various local housing, health and child care services would be cut as well.

Finally, the economic impact of the cuts would be felt with great force in management ranks at federal agencies. Much of the federal agency reduction would come at the expense of staffing, and federal employees would likely face layoffs and furloughs.

That would include many of the employees who would have to manage the sequestration process itself. Their jobs would be at risk, along with the services they provide. "Personnel is such a huge percentage of

the cost," says Marcia Howard, executive director of Federal Funds Information for States.

**An Avoidable Cliff**

For all the consternation over the looming cuts, they are still avoidable. Congress could approve an equivalent \$1.2 trillion in spending reductions to stop the sequester, or simply delay it outright. The expiring tax cuts could be extended by Congress as well.

But so far, the political will has been lacking, even as most agree the fiscal cliff is an avoidable catastrophe. Lately, the conversation has been more about who's to blame for the policy: Both Republicans and Democrats malign the rigid deficit-reducing rules, but have been hesitant to dismiss the ends, as the budget remains a top concern on the campaign trail.

Still, some suspect a post-election deal will be worked out during Congress' lame duck session. Others say the fiscal cliff is more like a slope, and Congress could retroactively stop most of the cuts and tax hikes sometime next year, even if January comes and goes.

But with time slipping away, and control of both the White House and Congress up for grabs, there's a growing sense of pessimism in Washington. Many say that even if Congress ultimately blunts the impact of the fiscal cliff, it's increasingly likely the U.S. will at least temporarily careen off of it in early 2013. That's left a situation where states are preparing for the worst while hoping for the best. As time passes, the concern is palpable. As Whatley of the Council of State Governments sums it up, "All of these things are going to hurt."

## NATIONAL BRIEFS

According to *Governing Magazine*, if the country fails to invest billions of dollars in ports, inland waterways and airports, it could lose out on more than 1 million jobs. A new report by the American Society of Civil Engineers (ASCE), a group which advocates for transportation infrastructure investment as a way to boost the economy, the investments are critical to ensuring that American goods remain competitively priced. If the country doesn't improve ports and airports, American goods could become more inefficient and expensive to ship, according to ASCE. That, in turn, would make American goods more expensive to buy and less attractive to customers, hurting the U.S. economy. The report calls for a \$30.2 billion investment in marine ports and inland waterways through 2020 — more than twice what's projected to be spent in that time. ASCE also says the country is projected to spend about \$19 billion short of what's needed for capital costs on airports through 2020. The projected growth of commercial aircraft operations in 15 major markets means passenger traffic at those facilities could increase by more than a third through 2020, while freight shipments could increase by 54 percent. The group has also called for additional investments in NextGen, the Federal Aviation Administration's system for improving the

air traffic control system. The pressure to increase investment comes at a time when observers are paying close attention to the expansion of the Panama Canal, which will allow vastly larger ships to cross. American ports — especially those on the East and Gulf coasts — have been rushing to expand their capacity in order to take advantage of the Panama project and have called on the federal government to provide more money for those projects. If they don't expand quickly enough, some industry and port officials say American ports could lose business to ports in the Caribbean who could accommodate the larger vessels, known as post-Panamax ships.

A group of state Department of Transportation directors has teamed up with the smart growth movement to release a new best-practices report that offers recommendations and case studies on how to stretch limited transportation dollars. The Smart Growth America report, "The Innovative DOT," highlights innovative techniques across the country. The study, was produced along with the State Smart Transportation Initiative. The study highlights innovative funding mechanisms, and gets into the specifics of transportation policy. The report also pushes new ways for DOTs to prioritize projects and highlights the role local jurisdic-

tions should play in the process. To view the report, visit <http://www.smartgrowthamerica.org/documents/the-innovative-dot.pdf>

Los Angeles and other cities are barred by the U.S. Constitution from seizing and destroying property the homeless temporarily leave unattended on city streets. A panel of the U.S. 9th Circuit Court of Appeals ruled that the personal possessions the homeless leave for a short time on city sidewalks may be taken only if the possessions pose an immediate threat to public safety or health or involve criminal evidence. Even then, the court said, the city may not destroy the property and must notify the owners where they can pick it up. The ruling stemmed from a court fight over a Los Angeles city ordinance aimed at cleaning up the city's skid row. Last year, the city posted notices warning the homeless that their possessions had to be removed during street-cleaning days. City workers, accompanied by police, then seized and destroyed property they found unattended. Homeless individuals sought and obtained a court order to stop the seizures, and the city appealed. In ruling against Los Angeles, the 9th Circuit said violating a city ordinance does not strip a person of his or her 4th Amendment right against unlawful seizure of property.

## COMING UP

**Sept.30-Oct.3: American Public Transportation Association's Annual Meeting** at the Sheraton Hotel and Towers, Washington State Convention & Trade Center in Seattle, WA. The industry's premier event, includes general sessions and forums focused on current issues facing public transportation and features first-rate professional speakers. Who should attend: transit personnel, policymakers, board members, government agencies, manufacturers, suppliers, and consultants. For more information, visit <http://apta.com/mc/annual/Pages/default.aspx> or call Anitha Atkins at 202-496-4839 or by e-mail at [atkins@apta.com](mailto:atkins@apta.com)

**Oct. 17-19: TCAPWA Conference** at the Memphis Hilton located off of I-240. A variety of exhibitors, including an Equipment Rodeo at Bartlett's W. J. Freeman Park; a panel of directors from across the state discuss their operations, preferences, and experiences at the Public Works Director's Forum, 20 educational sessions offered on a variety of public works related topics. For more information, or to register, visit <http://tennessee.apwa.net/events/9482/>.

**Oct. 18-19: 59th Annual Governor's Conference on Economic and Community Development** held at the Renaissance Nashville Hotel. Join hundreds of state and local officials, business leaders and economic developers for networking and sharing of best practices. Multiple educational sessions with the latest on economic development topics including entrepreneurship, exporting, incentives, research and development, site certification, online marketing, workforce development, agribusiness and more. A plenary session features some of the nation's leading site selectors on what they are looking for in potential locations and what it takes to land a project. Mike Curb, founder and chairman, Curb Records, will keynote the Commissioner's Luncheon. To register or for more information, visit [www.tncedcon.com](http://www.tncedcon.com).

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## No loan is too large or too small



The city of Dyersburg closed a \$4.5 million loan to use on various municipal projects.



The town of Cumberland Gap closed a \$5,000 Highway Safety Grant Anticipation Note.

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# 2012 Summary of Public Acts that affect TN municipalities

BY JOSH JONES  
MTAS Legal Consultant

## CRIME & CRIMINAL PROCEDURE

**Chapter No. 838** (HB2645/SB2507). Drugs added to list of those meeting definition of synthetic derivative or analogue of methcathinone. Amends T.C.A. § 39-17-452 by adding numerous chemical compounds to the list of drugs meeting the definition of a synthetic derivative or analogue of methcathinone. The production, distribution, sale or possession of these drugs is an offense.  
*Effective July 1, 2012*

**Chapter No. 848** (HB3175/SB3018). Controlled substance provisions extended to analogues. Amends various Titles in the Tennessee Code Annotated by extending most of the criminal law provisions relating to controlled substances to also apply to controlled substance analogues. Defines a controlled substance analogue as a capsule, pill, powder, product or other substance that has the stimulant, depressant or hallucinogenic effect on the central nervous system as a controlled substance, and the chemical structure of which is a derivative of or substantially similar to the chemical structure of a controlled substance. Controlled substance analogue does not include a substance approved by the FDA or a substance that is not for human or animal administration and that is not packaged in such form as to present any significant potential for abuse.  
*Effective May 15, 2012*

**Chapter No. 851** (HB3638/SB2891). Offense of money laundering expanded. Amends T.C.A. § 39-14-902 by expanding the definitions of "use" and "conduct" in the money laundering provisions to include "transport" and "conceal."  
*Effective July 1, 2012*

**Chapter No. 852** (HB3637/SB3691). Authority to use of wiretap in marijuana cases expanded. Amends T.C.A. § 39-17-417 by removing the prohibition on a district attorney seeking a wiretap in a case involving less than 700 pounds of marijuana or less than 150 pounds of hash.  
*Effective July 1, 2012*

**Chapter No. 876** (HB2856/SB2605). Technical correction to sexual offense provision. Amends T.C.A. § 39-13-529 by clarifying that it is an offense to display sexual activity to a minor by electronic means regardless of whether the victim is a minor or an undercover officer posing as a minor.  
*Effective July 1, 2012*

**Chapter No. 885** (HB3398/SB3076). Offenses of public indecency and indecent exposure amended. Amends Tennessee Code Annotated, Title 39, Chapter 13, Part 5, by elevating public indecency to a felony when committed on school or daycare grounds with children present. Elevates public indecency to a felony where the defendant is 18 years of age or older and the victim is under 13 years of age and where the act is committed on school or daycare grounds and children are present. Broadens the definition of public place to include single sex public restrooms.  
*Effective July 1, 2012*

**Chapter No. 892** (HB 2752/SB2914). When suspect can be compelled to take drug and alcohol test clarified. Amends T.C.A. § 55-10-406 by clarifying that a person placed under arrest can be compelled to take a drug and alcohol test by a court order, a search warrant or where an officer has probable cause to believe the driver involved in an accident resulting in serious injury or death has committed vehicular homicide, aggravated vehicular homicide or DUI.  
*Effective May 9, 2012*

**Chapter No. 899** (HB2459/SB2544). Offense of criminal trespass broadened. Adds a new T.C.A. § 57-3-413 by expanding the offense of criminal trespass to include when a person between the ages of 18 and 21 who is visibly intoxicated or otherwise disruptive refuses to leave a retail package store after being asked to do so by an employee. Declares the same activity a delinquent act for a person under the age of 18.  
*Effective May 9, 2012*

**Chapter No. 910** (HB2695/SB2179). Offense of harming a service animal created. Adds a new T.C.A. § 39-14-216 creating a new separate offense of harming a service animal. Applies to an animal assisting a disabled person or a police, fire or search and rescue dog or horse.  
*Effective July 1, 2012*

**Chapter No. 911** (HB2333/SB2190). Methamphetamine registry made retroactive. Amends Tennessee Code Annotated, Title 39, Chapter 17, Part 4, by making the requirement to register with the methamphetamine registry retroactive. Also expands list of offenses for which conviction requires registration. Makes other various amendments to methamphetamine registry provisions.  
*Effective May 10, 2012*

**Chapter No. 965** (HB2626/SB2667). List of crimes requiring DNA swab at arrest expanded. Amends T.C.A. § 40-35-321 by expanding the list of crimes where the arresting agency must take a DNA sample upon arrest to include aggravated vehicular homicide, criminally negligent homicide, reckless homicide, vehicular homicide, and voluntary manslaughter. Tests are completed with DNA kits provided by TBI.  
*Effective May 10, 2012*

**Chapter No. 966** (HB3141/SB2788). Offense of a public official receiving a benefit not authorized by law clarified. Amends T.C.A. § 39-16-402 by stating that a public official receives a benefit not authorized by law by purchasing real property or obtaining an option to do so with the intent to make a profit knowing that the real property may be purchased by a governmental entity when such information is not public knowledge. Also states that it is an offense when a public servant acquires nonpublic information derived from performance of official duties and knowingly acts on the information to acquire, or obtain an option to acquire, or liquidate, tangible or intangible personal property with the intent to profit. States that ouster provisions must be instituted upon a conviction where the conduct involves either of these situations. States that nothing in these provisions prohibits prosecution for theft or other crimes in addition to or in lieu of this offense.  
*Effective July 1, 2012*

**Chapter No. 1003** (HB3365/SB2836). Offense of preventing another from placing 911 call. Adds a new T.C.A. § 65-21-117 by making it an offense to knowingly prevent another person from making a 911 call or from requesting emergency assistance. Also makes it an offense to intentionally render a telephone unusable that would otherwise be used by another to place a 911 call or to request emergency assistance.  
*Effective July 1, 2012*

**Chapter No. 1015** (HB2888/SB2890). Offense of filing a lien without reasonable basis. Amends Tennessee Code Annotated, Title 39, Chapter 17, Part 1, by making it an offense to knowingly prepare, sign, or file any lien or other document with the intent to encumber property where there is no reasonable basis or legal cause for doing so.  
*Effective July 1, 2012*

**Chapter No. 1075** (HB2493/SB2371). Offense of trafficking a person for a commercial sex act. Amends Tennessee Code Annotated, Title 39, Chapter 13, Part 3, by defining the offense of trafficking a person for a commercial sex act as knowingly subjecting or attempting to subject, benefiting from, or attempting to benefit from another person's commercial sex act; or recruiting, enticing, harboring, transporting, or obtaining another person for the purpose of providing a commercial sex act. Also creates the offense of advertising commercial sexual abuse of a minor.  
*Effective July 1, 2012*

**Chapter No. 1084** (HB3082/SB2759). Offense of aggravated cruelty to livestock animals. Adds a new T.C.A. § 39-14-216 creating the felony offense of aggravated cruelty to livestock animals.  
*Effective July 1, 2012*

**Chapter No. 1090** (HB2868/SB3005). Criminal gang activity included within definition of racketeering. Amends T.C.A. § 39-12-203 by including commission or attempt of criminal gang activity

# MTAS October MAP Class Schedule

## Ethics

Oct. 10 - Franklin  
Oct. 16 - Bartlett  
Oct. 18 - Jackson  
Oct. 24 - Knoxville  
Oct. 31 - Collegedale

**Training Facilities**  
**Collegedale,** *Collegedale City Hall, 4910 Swinyar Drive*  
**Franklin,** *Williamson County Ag Expo Park, 4215 Long Lane*  
**Jackson,** *West Tennessee Research and Education Center, Seminar Room 150.605 Airways Boulevard*  
**Knoxville,** *University of Tennessee Conference Center, 600 Henley Street, 4th floor.*  
**Bartlett,** *Bartlett Station Municipal Center*

More employees do not knowingly violate a law or policy. Instead, many ethical violations occur when an employee is faced with a difficult choice that requires the employee to balance competing interests where the right thing to do is not clear.

This course uses scenarios to address the gray areas and provides participants practical skills for identifying and resolving these ethical dilemmas.

**Time**  
All classes are from 8:30am to 12:30pm

**Instructors**  
Courses are taught by MTAS consultants

within the definition of racketeering for purposes of RICO statutes.  
*Effective July 1, 2012*

**Chapter No. 1091** (HB2221/SB3092). Offense of promoting or organizing a gathering of minors to engage in public indecency. Amends Tennessee Code Annotated, Title 39, Chapter 17, Part 9, by making it an offense for a person 18 or older to knowingly promote or organize a gathering of two or more minors in a public place with the intent of providing a location for said minors to engage in public indecency. Personal property used in the commission of this offense is subject to judicial forfeiture.  
*Effective July 1, 2012*

**ECONOMIC DEVELOPMENT**  
**Chapter No. 755** (HB2765/SB3080). Purchase of development rights authorized. Amends T.C.A. §§ 13-7-101 & 201 by authorizing a governmental entity, including a municipality or metropolitan government, to purchase or accept donation of development rights to real property. Such rights may be preserved indefinitely and may be resold at any time. Must be approved by local governing body.  
*Effective April 16, 2012*

**Chapter No. 832** (HB3670/SB3424). Local government grants for housing development or improvements in blighted areas authorized. Amends Tennessee Code Annotated, Title 7, Chapter 51, by adding a new part authorizing a local government to provide grants to encourage housing development or encourage the repair, rebuilding and renovations of existing facilities and structures in blighted neighborhoods. Grants must be paid from the general fund of the local government. A grant program must be approved by the Attorney General.  
*Effective April 25, 2012*

**Chapter No. 846** (HB1959/SB1452). Tourism Development Authority Act. Amends Tennessee Code Annotated, Title 7, by enacting the Tourism Development Authority Act authorizing any city or county or combination thereof to establish a tourism development authority. Authority is created by a majority vote of the governing body of every participating local government. Local government must fund an authority through the general fund or through an occupancy tax. Local chamber of commerce can participate in an authority to the extent allowed by the creating local government. Authority is governed by a board of directors established by the creating local government. An authority has broad powers, including issuance of bonds, to undertake tourism projects including visitors' centers, recreational facilities and other attractions to promote tourism. No creating local government shall be liable for the debts of an authority. Not applicable in Shelby County.  
*Effective April 27, 2012*

**Chapter No. 849** (HB3828/SB3288). Tax revenue from Bridgestone Arena subject to special distribution to be allocated to sports authority. Clarifies that state and local sales tax revenue from the Bridgestone Arena in Metro Nashville that are subject to special distribution shall be distributed to the sports authority or comparable entity designated by the municipality and shall be used exclusively for expenses related to events at that arena.  
*Effective April 27, 2012*

**Chapter No. 867** (HB2977/SB2858). Tennessee Adventure Tourism Act broadened to include rowing. Amends T.C.A. § 11-11-

203 by expanding the scope of the Tennessee Adventure Tourism and Rural Development Act of 2011 to include rowing activities.  
*Effective May 1, 2012*

**Chapter No. 944** (HB3396/SB3233). Alternative energies deemed lawful purpose for industrial development project. Amends T.C.A. § 7-53-101 by including as a lawful project of an industrial development corporation land, buildings and machinery necessary or suitable for use in production of biofuels, biopower, biochemical, biomaterials, synthetic fuels or synthetic petroleum products.  
*Effective July 1, 2012*

**Chapter No. 957** (HB3778/SB3759). Tennessee Local Development Authority provisions amended. Amends Tennessee Code Annotated, Title 4, by authorizing the Tennessee Local Development Agency to allocate the state's portion of the National Qualified Energy Conservation funds. Charges the Department of Economic and Community Development with coordinating and administering such programs. Broadens lawful state loan programs to include capital projects. Where a capital project is a qualified energy project, the local government must first apply to ECD. Any loan agreement for such a project must be recommended by the commission of ECD.  
*Effective July 1, 2012*

**Chapter No. 1038** (HB2344/SB2206). FastTrack grants made only to local governments. Amends T.C.A. §§ 4-3-715 – 717 by clarifying that FastTrack grants and loans may be made only to local governments or to their economic development organizations or other political subdivisions. FastTrack economic development grants or loans may be used to facilitate economic development activities that are not eligible for FastTrack infrastructure development or job training assistance funds. These activities include retrofitting, relocating equipment, purchasing equipment, building repairs and improvements and temporary office space. Makes other various changes to the Tennessee Job Growth Act of 2005.  
*Effective May 21, 2012*

**Chapter No. 1092** (HB3722/SB3106). Border Region Retail Tourism Development District Act amended. Amends Tennessee Code Annotated, Title 7, Chapter 40, Part 1, by limiting application of the act to a border regional retail tourism development district created and filed with the commissioner prior to January 1, 2012. Removes provision that additional developments or new phases of a project must be completed within 30 years following certification of the district. Specifies that state sales and use taxes to the district would only cover the costs of the project that were incurred in the investment period beginning two years prior to the municipality's designation of the proposed district and ending 10 years after its certification.  
*Effective May 21, 2012 and applicable to every border region retail tourism development district regardless of certification date.*

**Chapter No. 1096** (HB3400/SB3223). Tennessee Local Land Bank Pilot Program. Amends Tennessee Code Annotated, Title 13, by adding a new Chapter 30, enacting the Tennessee Local Land Bank Pilot Program. Authorizes Oak Ridge to create a tax-exempt land bank corporation to buy and sell property within the city limits. Grants the land bank corporation broad powers exercised by a board of directors



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to accomplish the stated purpose of confronting problems caused by vacant, abandoned, and tax-delinquent properties.  
*Effective July 1, 2012*

## EDUCATION

**Chapter No. 551** (HB2653/SB2579). Elementary and secondary school grade levels redefined. Amends Tennessee Code Annotated, Title 49, Chapter 6, by redefining an elementary school as one serving any combination of grades kindergarten through six (K-6). The amendment redefines a secondary school as one serving any combination of grades seven through 12 (7-12). Finally, specifies that the phrase "elementary and secondary" includes elementary, middle and high school grades.  
*Effective March 8, 2012*

**Chapter No. 558** (HB2415/SB2883). Career and technical class size extension pilot project extended in Metro. Amends T.C.A. § 49-1-104 by indefinitely extending the pilot project allowing larger class sizes in career and technical education classes in Metropolitan Nashville/Davidson County.  
*Effective March 13, 2012*

**Chapter No. 614** (HB2328/SB2578). Teacher transfer provisions amended. Amends T.C.A. § 49-5-509 by stating that a non-tenured teacher who transfers from one LEA to another must serve the regular probationary period unless such is waived by school board. A transferring teacher must have a total of five years of service before attaining tenure. All tenure decisions are subject to the overall performance effectiveness levels of T.C.A. § 49-5-504.  
*Effective July 1, 2012*

**Chapter No. 656** (HB2229/SB2646). High school to forward immunization records of a dual-credit student to post-secondary school. Amends Tennessee Code Annotated, Title 49, Chapter 6, Part 4, by requiring a high school to forward the immunization records of a high school student taking a dual-credit post-secondary course to the post-secondary institution.  
*Effective April 4, 2012*

**Chapter No. 665** (HB2851/SB2710). Limitation on advertising on school buses lifted. Amends T.C.A. § 49-6-2109 by removing the limitation on commercial advertising on school buses that such advertising be composed of lettering on a background color.  
*Effective April 4, 2012*

**Chapter No. 670** (HB0368/SB0893). Teachers cannot be disciplined for undermining scientific theories. Amends Tennessee Code Annotated, Title 49, Chapter 6, Part 10, by protecting a teacher from discipline for "helping students understand, analyze, critique, and review in an objective manner the scientific strengths and weaknesses of existing scientific theories." Purportedly does not allow for the promotion of any religious beliefs.  
*Effective April 10, 2012\* (became effective without Governor's signature)*

**Chapter No. 687** (HB2789/SB3640). Authority to discipline on public school buses extended. Amends Tennessee Code Annotated, Title 49, Chapter 6, by extending school discipline policies to school buses. Authorizes a bus driver to hold a student accountable for disorderly conduct on a school bus. Authorizes a bus driver or teacher to use reasonable force to prevent bodily harm to another person on a school bus and grants civil immunity for such.  
*Effective July 1, 2012*



# Chattanooga youths strive for empowerment, change

**CHANGE** from Page 1  
summits that included leaders: pastors, teachers, law enforcement officials, parents, etc., but nothing that included the opinions of teens. Patterson notes, "We wanted to have a committee to empower youth and on the Youth Empowerment Committee teens began to open up about wanting to feel more included, wanting to serve their community."

The first thing on the agenda was a camp site clean up where 10 participants apiece from various organizations including the Boys Club, Girls Inc., the local Recreation Center, and faith based organizations went out to a campsite and worked together to clean it up for pay.

"We're listening to see how they want us to help them feel supported, be empowered, feel able to handle life," Patterson said. "We wanted something fun, while showing them how they can be part of the change."

The Future is Ours leaders also allowed the Youth Empowerment Committee to take the lead on planning a recent community event, *Be the Change*. Through a series of discussions with the teens, the three-hour rally was developed and held in

to a visit from Dr. Arun Gandhi, Mahatma Ghandi's grandson. During his Sept. 17 visit, Dr. Ghandi spoke about how to incorporate his grandfather's philosophy of non-violence into the lives of Chattanooga citizens.

The rally, filled with fellowship, music and fun, also allowed local organizations throughout the Chattanooga area such as the the Library, YMCA, Goodwill Industries, and The Boys & Girls Club, the opportunity to set up vendor booths where youths could discover quality service learning opportunities.

"We're putting together city mentorship drives using local agencies," Patterson said. "For decades these agencies have operated in parallel universes, all targeting different age groups. Now, they're collaborating on how to work together."

One of the highlights of the event, the musical entertainment, provided by "The Stars of Chattanooga," is especially near to the heart of the Gang Task Force and to Patterson.

"The Stars of Chattanooga program was developed to use music to



The first assignment for Chattanooga's Youth Empowerment Committee was a group camp site cleanup. Teens, who are finding their voice through the committee, recently helped plan and execute a successful community event and rally, *Be the Change* at Miller Park.

with Power 94 radio station, those kids' songs were actually played on the air."

According to Patterson, all that's required to remain in the music program is maintaining a clean record and keeping a positive attitude.

"Out of 130 songs we received, the top 15 are going to make it to a CD," he said. The task force plans to cut around 1,000 of the CDs and distribute them throughout the city. The task force hopes to repeat the process every six months, Patterson said. "These kids, from being positive, are basically seeing their dreams come true, which I want to make happen."

The initiative is just one of 52 others the agency is currently developing across the city.

"Chattanooga is really doing something that a lot of cities and towns throughout Tennessee can learn from," Patterson said.

Projects currently getting off the ground include "Operation Home Front," in the East Lake area. In the collaborative effort between police officers and pastors, local patrol officers and pastors, who are familiar with the neighborhood and the kids, might pay a visit to parents or guardians to let them know their child is hanging out with bad influences. "Often, that's when parents find out for the first time a problem exists," Patterson said. "In the process, the parents also feel supported by the faith-based community."

Other projects include a literacy



Chattanooga GangTask Force leaders Boyd Patterson (left) and Fred Houser, hit the Miller park stage at the city's recent *Be the Change* youth rally.

initiative, a recreation center scholarship program and recruiting more minority police officers to Chattanooga.

"Literacy is huge when it comes to criminal behavior because it is directly linked to poverty," notes Patterson. "At 4<sup>th</sup> grade, kids stop learning to read and start reading to learn. That point of divergence is where many experience a tailspin." The new literacy software, which will be distributed to five additional rec centers, begins where a child is developmentally, Patterson said. Tracking the six dimensions of literacy: such as vocabulary, fluency, syntax, etc., the software identifies where children need help and prepares a subsequent lesson plan based upon a child's specific needs.

The city recently received the results of its \$75,000 comprehensive

gang assessment report, completed by the Ochs Center for Metropolitan Studies in collaboration with the University of Tennessee in Chattanooga. Based on the national "Comprehensive Gang Model" and scaled to fit the area, the assessment included input from schools, students, law enforcement, gang members, parents and the community, to be implemented in three phases.

"The good thing is that the gang model contemplates that the only way large scale change can be achieved is by partnering with different agencies that have missions that overlap," Patterson said. "In Chattanooga, hope for the inner city is phenomenal."

To learn more about the Comprehensive Gang Model, visit the National Gang Center website at [www.nationalgangcenter.gov](http://www.nationalgangcenter.gov)



The Chattanooga Gang Task Force "Future is Ours" initiatives include recreation center scholarships to UTC sponsored by successful business leaders from the Chattanooga area, who are willing to serve as positive role models for local teens.

the heart of the city, at Miller Park.

"The whole *Be the Change* philosophy is patterned after one of Mahatma Ghandi's favorite sayings," Patterson explains. "Be the change you wish to see in the World." It tends to encapsulate the feel of what we want for our kids."

*Be the Change* was a precursor

help kids stay positive," Patterson explains. "We had two rec centers that had high-quality recording equipment so that kids could make their own songs laid out professionally on tracks. In the middle of July, the kids went to the rec center and cut the songs, which were radio play quality. Through our partnership

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## Local law enforcement agencies take top awards

The Tennessee Department of Transportation Governor's Highway Safety Office announced the winners of the 7th Annual Law Enforcement Challenge, an annual competition designed to recognize and reward the best overall traffic safety programs across the state and nation. This year's winners include not only state awards but 10 national winners.

Nationally, Tennessee agencies won 10 awards including three top honors. The Challenge is judged by the International Association of

Chiefs of Police (IACP) and is presented to law enforcement agencies statewide by the Governor's Highway Safety Office.

Similar sizes and types of agencies are judged on their local efforts to enforce laws and educate the public about the dangers of driving impaired and speeding as well as the importance of occupant protection.

The winning safety programs combine officer training, public information and enforcement to reduce crashes and injuries within their jurisdictions.

Tennessee municipal law enforcement agencies awarded in the 2011-2012 Law Enforcement Challenge include:

**1-10 officers**

Middleton Police Dept.—1<sup>st</sup> Place  
Wartburg—2<sup>nd</sup> place  
Oliver Springs—3<sup>rd</sup> place

**11-25 officers:**

Somerville—1<sup>st</sup> place  
White House —3<sup>rd</sup> Place  
**26-45 officers**  
Brownsville—1<sup>st</sup> place  
Martin—2<sup>nd</sup> Place  
Lexington—3<sup>rd</sup> Place

**46-75 officers**

Bristol —2<sup>nd</sup> place  
Maryville—3<sup>rd</sup> place

**101-200 officers**

Johnson City —1<sup>st</sup> place  
Kingsport—2<sup>nd</sup> Place

**201-500 officers**

Knoxville—2<sup>nd</sup> Place

**1001 plus officers**

Metro Nashville —1st Place  
Memphis—2nd Place

**Tennessee Highway Patrol**

Lawrenceburg District 7-1st Place  
Cookeville District 6— 3rd place  
Memphis District 4— 3rd place

**Special Category**

*Rookie of the Year* - Lexington  
*Occupant Protection* - Crossville  
*Impaired Driving* - Metro Nashville  
*Speed Awareness* - Benton  
Franklin - *Child Passenger Safety*  
Middleton- *Underage Alcohol Prevention*  
White House- *Bicycle-Pedestrian Safety*  
**National Award Category**  
**Municipal —1-10 officers**  
Middleton— 1st Place  
Benton— 2nd Place  
**201-500 officers**  
Jackson —2nd Place  
**Municipal— 1,001 or more**  
Metro Nashville —3rd place

# State Fire Marshal's office kicks-off Fire Prevention Week

## PREVENTION from Page 1

the inflatable fire truck slide, touring the fire safety house, visiting with Sparky the fire dog, or watching fire extinguisher demos, the event should be a significant and memorable occasion for people of all ages.

"Last year, state Commerce and Insurance Commissioner Julie Mix-McPeak wanted to highlight fire prevention during Fire Prevention Week as a way to provide resources from fire departments across the state," said West. "This year, we thought it would be fitting to host the event once more, in the shadow of the state capitol, where it was highly successful. Several children's groups attended, as well as the general public."

Included in the line up, the state's bomb and arson division will be on hand to demonstrate their fire sprinkler system trailer, joined by the department's brave service dogs. There will also be public appearances by Sparky the Fire Dog, the Al Menah Shiner's Circus clowns, vintage fire engines on display and fire educators from fire departments throughout Tennessee, who will present safety demonstrations throughout the day.

Mix-McPeak, who also serves as state fire marshal, will kick off the event at 10 am with a presentation on the state's efforts to combat its high fire mortality ranking. McPeak, whose father served as a Kentucky firefighter, will present the State Fire Marshal's Office' 2012-2013 Monthly Fire Prevention and Public Fire Education Planning Guide.

The Nashville event joins other major efforts from communities statewide to commemorate the lost and to promote fire safety awareness. **Community events**

The Greenfield Fire Department will continue its outstanding tradition with the town's 24<sup>th</sup> Annual Fire Prevention Festival Oct. 9-13. Several special activities will be hosted on Fire Prevention Day Oct. 13 including a parade.

The department can boast that some of its personnel actually attended the annual festival as children. "I've had people tell me this event changed the course of their lives," said Greenfield Fire Chief Bob Dudley.

At the fire department's annual Open House, antique fire trucks will be on display and children can meet Smokey the Bear, Fire Pup, and take

free fire truck rides. For the adults, there will be free blood pressure checks and the LIFE-LINE blood mobile. Exhibitors will have fire safety items such as smoke detectors, extinguishers, and collectibles for sale. Fingerprinting for children ages one to 12 will be conducted by the Weakley County Sheriff's Department.

## 9/11 Stair climb

Eight Tullahoma firefighters traveled to Nashville recently to climb 110 flights of stairs to commemorate those 343 firefighters lost in the attacks on 9/11/2001. Firefighters from across the state participated in the 3<sup>rd</sup> Annual 9/11 Stair Climb held on Sept. 9. The event is held at the Tennessee Tower in downtown Nashville, a 28-story building, that the firefighters have to climb four times to reach 110 stories, the number of stories in the Twin Towers.

"It is a physically taxing event combined with a really important purpose," said Tullahoma Firefighter, Craig Stroop.

Each climber carries a badge with a number and photograph of one of the FDNY members killed in the attacks. When the firefighters reach the top for the last time, they exit the stairwell, ring a bell and say the name of the firefighter they are climbing for.

## Sparky's Wish List

Fire departments across the state are partnering with members of their communities through an NFPA initiative, Sparky's Wish List. Residents, businesses, schools and others can purchase life-saving fire safety educational materials for local fire departments to use in their fire education programs. The website allows the fire departments to create a tailored profile page, identifying the specific materials needed. "Fire safety education saves lives, but with current budget pressures, it's hard for many departments to pay for a range of educational materials," said Jim Shannon, president of NFPA. Citizens can check out the site at [sparkyswishlist.org/](http://sparkyswishlist.org/).

## Fire Mortality

The NFPA's recent survey found only eight percent of American households said their first thought upon hearing an alarm would be to simply get out. One-third said they thought they would have at least six minutes before a fire in their home would become life threatening. But often, in reality, that time is less.



To kick off national Fire Safety Week, the state's Fire Prevention Division will promote fire safety education October 5, at the Bicentennial Capitol Mall State Park in downtown Nashville. Safety demonstrations, a fire safety house and the Al Menah Shiner clowns are just a few of the day's many offerings. The program will begin at 10 am with a presentation by Department of Commerce and Insurance Commissioner and State Fire Marshal Julie Mix-McPeak, who will discuss the efforts to combat the state's high fire mortality ranking, including the presentation of State Fire Marshal's Office 2012-2013 Monthly Fire Prevention and Public Fire Education Planning Guide.



The town of Greenfield takes fire prevention seriously. For 24 years, the city has hosted a week-long carnival honoring fire prevention week. The event includes tours of the Greenfield fire department, rides, exhibits, demonstrations, health fairs, free education materials along with a full parade complete with a grand marshal.



Eight Tullahoma firefighters travelled to Nashville to climb 110 flights of stairs to commemorate those 343 firefighters lost in the attacks on 9/11/2001. Firefighters from across the state participated in the 3<sup>rd</sup> Annual 9/11 Stair Climb. Pictured are: (front row) Davis Sanders, Chris Ross, Craig Stroop. Back row: Matt Rice, Ed Host, Rocky Rhoton, Raymie Hill, Derek Jordan.

## A rich history of Fire Prevention

According to the State Fire Marshal's Office, Tennessee was one of 34 states that set up a "Fire Safety Committee" and one of 18 states that held a statewide fire prevention conference dating back to 1948, when President Harry S. Truman conducted the nation's first Conference on Fire Prevention.

As a result of the national conference, a publication was distributed called, "A Guide to Community Organization for Fire Safety." This publication summarized a coordinated fire prevention program for use by state and local organizations in promoting fire safety.

This year, as the first step of the new 52-week progressive public education program, the State Fire Marshal's Office is providing a "new" guide and a committed effort to improving fire prevention, according to Commissioner West.

"This fire prevention program is specifically tailored to Tennessee, even specific dates that indicate incidences where large losses of life occurred," West said. "If you plan out your fire protection programs, you're more likely to reach certain target groups."

Utilizing the "Fire Mortality Risk Analysis Map," developed by researchers at the University of

Tennessee, certain demographics were targeted across the state as priorities for needing public fire education programs. The goal for the State-wide Public Fire Education Program is to target each census track while working with the local fire departments.

Projects for target areas include:

- Providing resources to assure that all residential structures have working smoke detectors.
- Educating and promoting what to do in the event of a fire, such as: using escape plans and practicing exit drills.
- Providing information on how residential fire sprinklers can save your life.
- Providing local fire departments with resources to conduct door-to-door public education programs including offering home fire safety surveys.
- Promoting the public fire education messages that are specific to each community.
- Establishing community involvement and awareness about fire safety with local officials.
- Providing outreach to high-risk populations within the targeted areas; and
- Using local media and other technology to reach high risk targets.



This is the time of year when many citizens complete outdoor improvement projects to their house before the weather changes. It is also a good time to take care of an important indoor project, making sure that all of the escape routes in your home are clear. Items that block doors and windows could keep you from escaping in the event of a fire. The "Clear Your Escape Routes" brochure, available under [Urban Fire Safety](http://www.nfpa.org) on the NFPA website, outlines potential hazards to safe escape, and also provides a reminder about this year's Fire Prevention Week theme to "Have 2 Ways Out." Pictured: a fire extinguisher demonstration at Nashville's Bicentennial Capitol Mall State Park caps off the state's Fire Prevention Day.

Tennessee's fire chiefs named smoke detectors as the No.1 line of defense against fire mortality in a landmark study "Fire Mortality—An Analysis of Civilian Residential Fire Deaths in Tennessee—2002-2010," produced and released by the University of Tennessee Municipal Technical Advisory Service (MTAS) with the cooperation of the Tennessee Fire Chiefs' Association.

The state Fire Marshal's Office was recently awarded a grant to purchase 20,000 smoke alarms to be given out for free, according to West. "There are many homes in Tennessee that don't have alarms," West said. "Our goal is to get smoke alarms installed in every home. Our targets are high-risk areas we've identified across the state through our research with UT. We're on map number three, which is becoming more and more accurate. As of right now, our risk areas are showing we

are about 70 percent accurate in determining where fire deaths will occur. We're trying to get alarms into those communities door to door."

Last year, West notes, there were 84 fire residential fire deaths in Tennessee. "As the weather starts getting cooler, fire injuries and deaths go up. As of today in Tennessee, we've had 49 civilian fire deaths. It's six deaths down from the same time period last year, and \$163 million in fire loss."

For more information about the state's Fire Prevention Day, visit <http://tn.gov/commerce/sfm/index.shtml>. An updated version of the State Fire Marshal's Office' Monthly Fire Prevention and Public Fire Education Planning Guide will be available in October. To view the 2012-2013 version, visit <http://www.tn.gov/commerce/sfm/documents/sfmmonthfireprevpubedplan11.pdf>.

## NFPA Home Fire Escape Planning

### Clear Your Escape Routes

- Security bars or steel screens on doors and windows that don't come with a quick release mechanism could keep you trapped inside during a fire, or prevent emergency personnel from being able to enter your home to rescue you. Inspect your windows with security bars to make sure they have quick release devices that everyone in the home knows how to use.
- Padlocks can be a barrier to safety. Remove padlocks so the door or window can be used as an escape route.
- When arranging furniture and other items, don't block doors or windows with televisions, heavy dressers, tables, couches, even potted plants.
- Every room needs two ways out. Remove items that may be blocking doors or windows.
- Never nail or paint windows shut. Opening them could be crucial in the event of a home fire. Inspect your windows and doors. Remove nails or paint that could prevent using windows for escape.
- A pile of toys or other items in front of a doorway can block the escape route.
- Don't block escape routes with holiday decorations. Place Christmas trees and decorations away from doors and windows.

### Plan and practice a home fire escape plan twice a year.

- Identify two escape routes out of each room, if possible, then make sure that each escape route can be used safely by everyone.
- Walk through your home and inspect all possible exits and escape routes. Households with children should consider drawing a floor plan marking two ways out of each room, including windows and doors. Also, mark the location of each smoke alarm.
- Install smoke alarms in every sleeping room, outside each sleeping area and on every level of the home.
- Choose an outside meeting place (i.e. neighbor's house, a light post, mailbox, or stop sign) a safe distance in front of your home where everyone can meet after they've escaped. Make sure to mark the location of the meeting place on your escape plan.
- Go outside to see if your street number is clearly visible from the road. If not, paint it on the curb or install house numbers to ensure that responding emergency personnel can find your home.
- Have everyone memorize the emergency phone number of the fire department. That way any member of the household can call from a neighbor's home or a cellular phone once safely outside.
- If there are infants, or family mem-

bers with mobility limitations, make sure that someone is assigned to assist them in the fire drill and in the event of an emergency. Assign a backup person too, in case the designee is not home during the emergency.

- If your home has two floors, every family member (including children) must be able to escape from the second floor rooms. Escape ladders can be placed in or near windows to provide an additional escape route. Review the manufacturer's instructions carefully so you'll be able to use a safety ladder in an emergency. Practice setting up the ladder from a first floor window to make sure you can do it correctly and quickly. Store the ladder near the window, in an easily accessible location.
- Tell guests or visitors to your home about your family's fire escape plan. When staying overnight at other people's homes, ask about their escape plan.
- When a smoke alarm sounds, get out immediately. Once out, stay out! Never go back into a burning building. If someone is missing, inform the fire department dispatcher when you call.

For more information about fire escape planning, visit [www.nfpa.org](http://www.nfpa.org) and type "home escape planning" in the search bar.